



- WORK NOTES -

ADMINISTRATIVE  
RECORD

**EPA O&M - 4<sup>th</sup> Meeting**  
**May 12, 2004**  
**Venture Fireside Room**

**AT A GLANCE**

**NEXT MEETING:** June 9, 2004; 7:00 am – 9:00 am  
Venture Inn, Fireside Room

**Actions Needed/Agenda for Next Meeting**

- **Wendy:** A (Brief) General Plan of Notification for Renters
- **Jim:** Experience from Johnson Acres sewer/water project
- **Dan/Ron:** Thoughts about potential ordinances – City/County coordination?
- **All:** Review issues listed early on (attached) – **Progress Check.**

**FROM THE MAY 12<sup>TH</sup> MEETING**

The Operations and Maintenance Team members present: Jim Christiansen, Sandra Johnson, Alan Stringer, Charlene Leckrone, Wendy Thomi, Craig French, Kevin Kirley and Dan Thede. We welcome Kevin as our new DEQ representative and say bon voyage and thanks to Craig as he moves on. Kathy Kinzey from Northwest Montana Human Resources (State Health and Human Resources) visited with us during the second hour. Facilitator: Sandy Matheny

**AGENDA**

1. Introductions
2. Brief review of expectations for early and continuous involvement by stakeholders not present.
3. Continue renter's disclosure process discussions.
4. Beginning discussions on local ordinances. (These may start to address renter/buyer disclosure issues, developer concerns, what do I do if I run into the material?" What to do when a structure burns down, demolition, etc.)

**Introductions**

Kevin joining the group as a new DEQ representative gave us an opportunity to revisit roles, experiences and expectations.

### **Continuous Involvement of Stakeholders not present**

This discussion will remain a portion of our meetings at least in a general sense. Early and continuous involvement is a mainstay. The educational aspects of O & M surfaced again. Are there opportunities at the college? What happens when there is no more EPA Information Center? What can we be doing now to reduce unnecessary conflict and misinformation?

### **Renter's Disclosure Process/Policy Discussion**

Thanks to Kathy Kinzey for joining us for this ongoing dialogue. She brings a wealth of practical experience and resources. Using subsidized housing avenues to inform renters was not as 'big' as many thought it would be (33 units). The First Time Homebuyer program may provide an opportunity in the future (no \$ now). The Low Income Energy Assistance Program may be another way to dispense information.

The Cities and Flathead Electric's power hook up/shut off information are additional resources.

**Wendy will draft a general Information Plan.**

### **Sample Ordinances**

Jim and Wendy provided several examples for discussion. General dialogue covered the need to understand County and City ordinance opportunities and processes, possibilities for coordination, working with developers as well as owners/renters, What to do if I run into the material?, What to do if a structure with asbestos burns?, What about neighboring structures with asbestos?, etc.

**Jim/Dan will relate experiences from Johnson Acres.**

**Dan/Ron may have information to discuss regarding ordinance processes.**

### **Additional Items Pending**

- Risk assessment and working with expanded vs. unexpanded remains a question... and will for some time to come.
- Importance of working with Fire people in both Libby and Troy. There is a concern for lack of awareness of need to take precautions. (**Jim: a letter to Fire Depts?**)
- EPA's emergency response contract is being completed and will be in place for future situations.
- Disposal of the material needs to be addressed.

**TO STAY ON TRACK: Following are the issues we listed at the 1<sup>st</sup> meeting.**

### **Short Term Issues**

1. **ON BOARD** - System for Renters – (Association of Landlords? Disclosure if you sign a lease? Transaction process for buyers is basically in place)
2. **DONE!** EPA's Cleanup Completion Letter can assist in property transfers. What can/should the letter say about:
  - Material left in the home?
  - If it's not known whether material is left in the home?
  - The form of vermiculite remaining?

EPA is drafting a letter for the group to discuss.

3. **ON BOARD** - *What* to do if you 'bump' into vermiculite? (e.g. Gas stations, new sewer lines, boat ramp, new construction, etc.) The response to this while EPA is here is easier, later on is the key. Who is in charge later? How much is discovered and what is acceptable? How is this regulated? Local ordinance?
4. How do I live with this stuff right now? How do we deal with dust, remodeling, demolition, and transportation issues? Need simple and practical responses. What are acceptable levels and what becomes the long-term answer?
5. **ON BOARD** -Demolition – This is a short term and a long-term issue. How do I stay safe and legal? What about when the structure burns down. What is "allowed"? Non-detect? Air testing costs? Certified inspector costs?
6. HEPA Vacuum Program – Need to discuss thoughts, changes, and suggestions.
7. Tracking costs for later use.
8. Remodeling issues.

### **Long Term Issues**

1. Ensure capacity of the Asbestos cell.
2. Management of the asbestos cell in perpetuity (ground water containment, etc.) State will have to make assurances. Tripartite agreements are often used.

3. New discoveries of contamination. What mechanisms are in place? Level of response? Who makes the determination? Participation by State, County, Cities, Grace?
4. Documenting contamination EPA leaves behind. (A property-specific GIS database is being kept. Historical tracks of what's been done – a sort of "Go To" database for fires, remodeling, etc.).
5. Design a program for what to do with it. (And what if I'm doing it myself?)

And.... So we don't lose these thoughts:

There was general discussion regarding O&M complications with Libby site. Land use restrictions, institutional controls, local ordinances, access restrictions, containment structure management. Who funds, who oversees, when does the State become responsible, assurances, 10% match requirements, recoverable costs?